

The Honorable Commissioner of Patents
and Trademarks

Page 9

REMARKS

Applicant hereby requests the withdrawal of the rejections in the Office Action and reconsideration of the application, in view of the following remarks.

The present application contains claims 1 to 26.

The Examiner rejected claims 1-6, 8-20 and 22-26 under U.S.C. 103 (a) as being unpatentable over Hugenburg (U.S. Patent No. 6,714,545), hereinafter referred to as Hugenburg, in view of Hung (US Patent No. 6,583,901), hereinafter referred to as Hung .

Applicant respectfully traverses the rejection.

Response to Examiner's Comment

The claimed features, for example, the access multiplexer, the photonic switch, and the S-DWDM which are clearly inventive over Hugenburg and Hung have been discussed in Response filed August 16, 2006.

The Examiner admitted that Hugenburg failed to teach S-DWDM. The Examiner further stated that Hung teaches "wavelengths which have an optical precision which are clearly capable of being interleaved into the optical frequency constraints of a DWDM wavelength plan of the core network."

This is not correct.

Not all wavelengths can be interleaved into a DWDM signal, even if they have the required optical precision, an example would be two wavelengths with same wavelength from two distinct sources, they can not be interleaved into

The Honorable Commissioner of Patents
and Trademarks

Page 10

same DWDM signal. It is the fact that the S-DWDM from all sources do not overlap in the resulting DWDM signal, as described throughout the disclosure of the present claimed invention, allows the S-DWDM being interlaced.

In addition to the fact that Hung teaches away from the S-DWDM as discussed in the Response filed on August 16, 2006, Hung teaches multiplexing of wavelengths by reducing the spectral width of the optical signal from the DFB lasers (column 17, line 50 to column 18, line 10), not interleaving of wavelengths. Considering the discussion regarding the difference between CWDM and S-DWDM in earlier Office Actions, the difference between the spectral width of an optical signal and the spectral position of an optical signal in a DWDM plan is emphasized here.

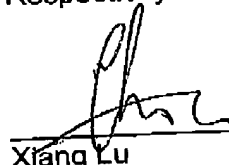
The term "photonic switch" is well defined in the art.

A photonic switch is an all-optical switch, without O-E-O conversion. A switch with optical input/output, and with an O-E-O switch core is called "optical switch". Therefore, there is no need to positively recite the limitation for term well defined in the art.

Applicant therefore respectfully requests reconsideration and withdrawal of the obviousness rejection.

In view of the above comments and amendments, and having dealt with all of the matters raised by the Examiner, early and favourable consideration of this application on its merits is respectfully requested.

Respectfully Submitted,



Xiang Lu
Registration No. 57,089

The Honorable Commissioner of Patents
and Trademarks

Page 11

c/o GOWLING LAFLEUR HENDERSON LLP
160 Elgin Street, Suite 2600
Ottawa, Ontario
K1P 1C3
CANADA
Telephone: (613) 233-1781
Facsimile: (613) 563-9869